UNITED STATES PATENT AND TRADEMARK OFFICE

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10/017,435	12/14/2001	Mark Phillips	2222.0820003	6756

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EXAMINER
WOZNIAK, JAMES S

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *27 May 2008*.
2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-24 and 36* is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-24 and 36* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on *25 February 2002* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
      Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
      Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   In response to the office action from 2/27/2008, the applicant has submitted an

amendment, filed 5/27/2008, arguing to traverse the art rejection based on the limitation

regarding "invoking in a deployment environment a generic dialog asset form an instance of a

remote central repository" *(Amendment, Pages 6-7)*. Applicant's arguments have been fully

considered, however the previous rejection is maintained due to the reasons listed below in the

response to arguments.

Response to Arguments

2.   Applicant's arguments have been fully considered but they are not persuasive for the

following reasons:

        With respect to **Claim 1**, the applicant argues that the prior art of record fails to teach the

limitation regarding invoking in a deployment environment a generic dialog asset form an

instance of a *remote central repository*. In support of this traversal the applicant points to Puerta

("Supporting User-Centered Design of Adaptive User Interfaces via Interface Modules," 1998)

allegedly teaching an interface model that is used only in development and not in deployment

and Marx et al *(U.S. Patent: 6,173,266)* failing to teach this limitation *(Amendment, Pages 6-7)*.

In response the examiner notes that these arguments have been fully considered, but are not convincing. More specifically, the examiner pointes out that Marx teaches the concept of deploying generic dialog instances in a deployment environment (Col. 6, Lines 53-60; Col. 8, Lines 42-51; and Col. 17, Lines 21-54). Marx only lacks the teaching that these generic instances are taken from a remote central repository. Although Marx lacks the specific teaching of a remote central repository, Marx does teach a means that would render his invention capable of interfacing with such a repository *(communication interface, Col. 5, Line 49- Col. 6, Line 8; and Fig. 3, Elements 320 and 332).* The use of a central data repository for development, however, is shown in Fig. 1 of Puerta and described in pages 1-2 of the same. Contrary to the applicant's arguments, Puerta further explicitly shows that instances of this central repository database are deployed in a runtime system in Fig. 1 *(lower right-hand corner of the drawing).* As can be seen from this figure, an instance of the repository would be utilized in the runtime environment of Puerta. Thus, since Marx teaches the use of generic dialog components in a deployment environment and a means for interfacing with a remote data source and Puerta provides that remote database source, instances of which are used in a runtime system, the applicant's arguments are not convincing.

The art rejection of the remaining claims is traversed for reasons similar to claim 1 *(Amendment, Page 8).* In regards to such arguments, see the response directed towards claim 1.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   **Claims 1, 3-11, 16-24, and 36** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Marx et al *(U.S. Patent: 6,173,266)* in view of Puerta *("Supporting User-Centered Design*

of Adaptive User Interfaces via Interface Models," 1998).

With respect to **Claim 1**, Marx discloses:

Utilizing at least one generic software component to develop a specific voice application,

including invoking at least one generic dialog asset from a repository *(Col. 3, Lines 28-39; Col.*

4, Lines 21-33; and Col. 6, Line 39- Col. 7, Line 3; an original predefined dialogue template

used in a specific service, Col. 8, Lines 42-51; and dialogue template libraries and invoking

default parameters in application development, Col. 17, Lines 7-20 and Fig. 8, Elements 810,

820, 830);

Deploying the specific voice application in a deployment environment separate from the

development environment *(development environment libraries and service environment library*

Fig. 8), wherein the deployment includes an instance of the repository *[deployed services having*

default (generic) dialog templates from a baseline library (dialog instances in a service utilizing

default baseline library settings that are not overridden, Col. 17, Lines 28-34) in the form of pre-

recorded default prompts that are provided to a caller (Col. 4, Lines 41-43; and default apology

prompts, Col. 20, Lines 42-57), default dialog configuration parameters (Col. 6, Lines 53-60),

and default vocabularies (example of an implemented service conformation step using a default

vocabulary, Col. 9, Lines 40-46; example of a standard default vocabulary across different

services for responses that tend to be the same, Col. 11, Lines 49-55; use of a completely defined

default vocabulary, Col. 18, Lines 47-56)]; and

Invoking the at least one generic dialog asset from the repository in the deployment

environment *(utilizing a predefined default dialogue module in a specific voice application*

service, Col. 6, Lines 53-60; Col. 8, Lines 42-51; and Col. 17, Lines 21-54).

Although the speech application development system taught by Marx features default

dialog modules used in a deployment environment and is further equipped with a means of

communicating with an external data source *(communication interface, Col. 5, Line 49- Col. 6,*

Line 8; and Fig. 3, Elements 320 and 322), Marx does not explicitly teach that the external data

source or host computer stores dialog assets that are utilized in development and deployment.

Puerta, however, discloses a central server repository featuring dialog information that is

accessible in both a development and runtime environment *("The Paradigm of Model-Based*

Interface Development," Pages 1-2; and Fig. 1).

Marx and Puerta are analogous art because they are from a similar field of endeavor in

voice application design. Thus, it would have been obvious to a person of ordinary skill in the

art, at the time of invention, to modify the teachings of Marx with the central server repository

taught by Puerta in order to enable the centralization, sharing, and reuse of interface design

components (Puerta, Abstract and Pages 1-2).

With respect to **Claim 3**, Marx shows:

The deployment environment further comprises an application server *(computer containing the designed interactive voice application, Fig. 3)*.

With respect to **Claim 4**, Marx recites:

The deployment environment further comprises a dialog control component *(Col. 6, Lines 61-64)*.

With respect to **Claim 5**, Marx recites:

The deployment environment further comprises a dialog component (Col. 6, Lines 53-60).

With respect to **Claim 6**, Marx discloses:

The deployment environment further comprises a voice application services layer *(Col. 6, Lines 23-30)*.

With respect to **Claim 7**, Marx discloses:

The deployment environment further comprises a rules integration layer *(Col. 13, Line 59- Col. 14, Line 8)*.

With respect to **Claim 8**, Marx discloses:

The deployment environment further comprises a messaging layer *(Col. 20, Lines 33-41)*.

With respect to **Claim 9**, Marx discloses:

The deployment environment further comprises a voice services layer *(Col. 6, Lines 23-30)*.

With respect to **Claim 10**, Marx discloses:

The deployment environment further comprises a detail tracking layer *(Col. 14, Line 47-Col. 15, Line 5)*.

With respect to **Claim 11**, Marx discloses:

The deployment environment further comprises an external system *(Col. 5, Lines 49-67).*

With respect to **Claim 16**, Marx discloses:

Utilizing one or more generic software components to develop a specific voice

application further comprises utilizing one or more generic software components during a

design phase to develop a specific voice application *(combined dialog modules, Col. 4, Lines*

21-33; and Col. 8, Lines 19-51).

With respect to **Claim 17**, Marx recites:

The design phase further comprises a dialog design phase *(dialog module ordering to*

create a call flow, Col. 8, Lines 19-51).

With respect to **Claim 18**, Marx recites:

The design phase further comprises a voice coding phase *(Col. 16, Lines 11-25).*

With respect to **Claim 19**, Marx discloses:

The design phase further comprises a rules definition phase *(Col. 20, Lines 17-32; Col.*

13, Lines 59-67).

With respect to **Claim 20**, Marx recites:

The design phase further comprises a phase wherein custom prompts are generated *(Col.*

12, Line 43- Col. 13, Line 10).

With respect to **Claim 21**, Marx recites:

The design phase further comprises a phase wherein custom grammars are developed

(Col. 17, Lines 35-42; and Col. 18, Line 47- Col. 19, Line 7).

With respect to **Claim 22**, Marx discloses:

The design phase further comprises a phase wherein standard prompts are utilized to

generate the specific voice user interface *(Col. 18, Lines 30-45)*.

With respect to **Claim 23**, Marx discloses:

The design phase further comprises a phase wherein standard grammars are sued to

generate the specific voice user interface *(Col. 18, Lines 47-56)*.

With respect to **Claim 24**, Marx discloses:

The design phase further comprises a system test phase *(Col. 14, Lines 9-24)*.

With respect to **Claim 36**, Marx discloses the use of a default dialog module, including

voice data, in a deployment environment, as applied to claim 1, while Puerta teaches that dialog

modules can be retrieved in a runtime environment from the central server repository *("The*

Paradigm of Model-Based Interface Development," Pages 1-2; and Fig. 1).

5.   **Claims 2 and 12-15** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Marx et al in view of Puerta and further in view of Uppaluru *(U.S. Patent: 5,915,001)*.

With respect to **Claim 2**, Marx in view of Puerta teaches the method for designing an

interactive speech application utilizing a remote central repository as applied to Claim 1. Marx

in view of Puerta does not specifically suggest that a deployment environment for the speech

application utilizes a voice gateway, however, Uppaluru teaches the use of a voice gateway in an

interactive voice response system *(Col. 4, Lines 38-51; and Col. 6, Lines 6-46)*.

Marx, Puerta, and Uppaluru are analogous art because they are from a similar field of

endeavor in interactive voice interface systems. Thus, it would have been obvious to a person of

ordinary skill in the art, at the time of invention, to modify the teachings of Marx in view of

Puerta with the voice gateway taught by Uppaluru to provide a means of accessing additional

Internet data through an interactive voice response system *(Uppaluru, Col. 1, Line 39- Col. 2,*

Line 19; Col. 4, Line 38- Col. 5, Line 2).

With respect to **Claim 12**, Marx further discloses a speech recognition engine *(Col. 7,*

Lines 29-46). Also, Uppaluru teaches a voice command interpreter *(Col. 6, Lines 24-46).*

With respect to **Claim 13**, Uppaluru further teaches a telephone interface *(Col. 6, Lines*

24-30).

With respect to **Claim 14**, Uppaluru teaches a means for providing prompts to a user

(Col. 6, Lines 24-46, while Marx teaches that prompts may be generated using a speech

synthesizer *(Col. 18, Lines 30-45).*

With respect to **Claim 15**, Uppaluru teaches ASR implemented at a voice gateway *(Col.*

16, Line 50- Col. 18, Line 15).

Conclusion

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to James S. Wozniak whose telephone number is (571) 272-7632.

The examiner can normally be reached on M-Th, 7:30-5:00, F, 7:30-4, Off Alternate Fridays.

       If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Patrick Edouard can be reached at (571) 272-7603. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

       Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/James S. Wozniak/
Patent Examiner, Art Unit 2626